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**Criminal accountability of United Nations officials and experts on mission**

# Criminal accountability of United Nations officials and experts on mission

## Report of the Secretary-General

*Summary*

The present report has been prepared pursuant to paragraphs 15 and 16 of General Assembly resolution 63/119, entitled "Criminal accountability of United Nations officials and experts on mission". Sections II and III provide information received from Governments on the extent to which their national laws establish jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, as well as information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals. Sections IV and V detail recent activities within the Secretariat with respect to the resolution.

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# Contents


| | | Page |
|---|---|---|
| I. | Introduction | 3 |
| II. | Establishment of jurisdiction over crimes of a serious nature | 3 |
| III. | Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions | 7 |
| IV. | Bringing credible allegations that reveal that a crime may have been committed by United Nations officials to the attention of States against whose nationals such allegations are made | 10 |
| V. | Taking other practical measures to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training | 12 |

# I. Introduction

1. In its resolution 63/119, entitled "Criminal accountability of United Nations officials and experts on mission", supplementing resolution 62/63, the General Assembly requested the Secretary-General to report on the implementation of the resolution, in particular with respect to paragraphs 3, 5 and 9, as well as any practical problems in its implementation, on the basis of information received from Governments and the Secretariat.

2. The present report provides a synopsis of efforts undertaken in that regard. Sections II and III deal with activities and information received relating to the criminal accountability of United Nations officials and experts on mission, as required by paragraphs 3, 4, 5 and 9. By a note verbale dated 31 December 2008, the Secretary-General drew the attention of all States to resolution 63/119 and requested them to submit, by 1 July 2009, information on the extent to which their national laws establish jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, as well as information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions of such individuals. As at 30 July 2009, replies had been received from 13 States.

3. Sections IV and V of the present report cover activities undertaken within the Secretariat in the implementation of paragraphs 9 to 13 of resolution 63/119, focusing in particular on information regarding the bringing of credible allegations that reveal that a crime may have been committed by United Nations officials to the attention of States against whose nationals such allegations are made, as well as training.

4. The present report should be read together with the 2008 report of the Secretary-General on the same topic (A/63/260 and Add.1).

# II. Establishment of jurisdiction over crimes of a serious nature

5. **Austria** noted that there had been no change to the information submitted in 2008 (see A/63/260, para. 7).

6. **Belarus** stated that when United Nations officials and experts on mission who are nationals of Belarus commit offences outside its territory, they are subject to criminal prosecution in accordance with the Criminal Code, the Code of Criminal Procedure and the international agreements concluded by Belarus. In particular, pursuant to article 6, part 1, of the Criminal Code, nationals of Belarus or stateless persons permanently residing in the country who have committed offences outside Belarus are liable to prosecution under the Criminal Code if they commit acts that are offences in the State where they were committed and if they have not been prosecuted in that State. When such persons are sentenced, the penalty is fixed within the limits of the sanction stipulated in the relevant article of the Criminal Code but must not exceed the upper limit of the sanction provided for by the law of the State in whose territory the offence was committed.

7. However, the Criminal Code is applied independently of the criminal law of the place in which the act was committed with regard to the following

offences: (a) genocide (art. 127); (b) crimes against the security of humankind (art. 128); (c) production, stockpiling or distribution of prohibited instruments of war (art. 129); (d) ecocide (art. 131); (e) use of a weapon of mass destruction (art. 134); (f) violation of the laws and customs of war (art. 135); (g) criminal violations of the norms of international humanitarian law in time of armed conflict (art. 136); (h) inaction or issuance of a criminal order in time of armed conflict (art. 137); (i) human trafficking (art. 181); (j) other offences committed outside Belarus which are prosecutable on the basis of a binding international treaty of Belarus.

8. Moreover, persons are liable to prosecution under the Criminal Code if they have not been convicted in a foreign State and are brought to justice in the territory of Belarus.

9. The **Czech Republic** drew attention to information submitted in 2008 (see A/63/260, paras. 14 and 42).

10. In respect of personal jurisdiction, **Jordan** reiterated the requirements of article 10 of its Penal Code (see A/63/260, para. 22). Moreover, article 4 of the Military Penal Code (Law No. 58 of 2006) provides that article 10 of the Penal Code shall also apply to crimes committed by Jordanian soldiers serving in the Jordanian armed forces. Those who commit war crimes can be punished under article 41 of the Military Penal Code, while its article 44 addresses war crimes committed by civilians, in particular the killing of civilians, torture and hostage-taking. Article 42 of the Military Penal Code provides equal penalties for those who commit war crimes and those who incite or are accessory to the commission of such crimes. In addition, article 43 stipulates that the statute of limitations applies neither to war crimes nor to the penalties therefor.

11. Under articles 4, 5 and 6 of the Penal Code of **Guatemala**, its criminal law should be understood as being primarily territorial. Extraterritoriality is applied by Guatemala only in the exceptional cases provided for in article 5 of the Penal Code. The criminal accountability of United Nations officials and experts on mission is deemed to fall within the exclusive competence of the State where the offence was committed, except where otherwise provided for by the Penal Code. Guatemala does not have an explicit classification for crimes of a serious nature committed by United Nations officials or experts on mission, since penalties are applied in accordance with the gravity of the crime and not according to any classification.

12. Furthermore, Guatemala has taken measures to combat impunity, at both the national and international levels. Examples include the establishment in 2007, in association with the United Nations, of the International Commission against Impunity in Guatemala and the accession of Guatemala in 2008 to several multilateral instruments and bilateral extradition instruments with various States.

13. Guatemala has also recently adopted relevant legislation, including a law on strengthening criminal prosecution, a new law on arms and ammunitions, a law against sexual violence, exploitation and trafficking in persons, a law governing extradition procedures and a law against femicide.

14. **Guyana** stated that its laws did not currently provide for jurisdiction outside of Guyana over Guyanese nationals who commit crimes while serving as United Nations officials or experts on mission. However, while legislation was not in place, United Nations officials and experts on mission could be held criminally liable in

the host country by virtue of section 4 of the Privileges and Immunities (Diplomatic, Consular and International Organizations) Act (Cap. 18:01), which allows the Minister for Foreign Affairs to waive the diplomatic immunity of Guyanese nationals who are serving abroad in the above-mentioned capacities. This would allow them to be charged in the host State where the offence was committed. It would be better for the charge to be instituted in that State, since all the evidence to establish the offence, such as witnesses and exhibits, would be there.

15. The Penal Code of **Kuwait** (Law No. 16 of 1960) provides for the criminal responsibility of Kuwaiti citizens who commit crimes of a serious nature while in the employ of the United Nations on the same basis on which it treats any Kuwaiti national who commits a crime abroad. This ensures that any Kuwaiti national in the employ of the United Nations who commits a crime in the course of performing work will be criminally prosecuted. If it is not possible to prosecute the person in the State where he was employed owing to diplomatic immunity, judicial proceedings will be conducted against him upon his return to Kuwait.

16. **Mexico** noted that its criminal legislation makes no special reference to the criminal accountability of United Nations officials and experts on mission, whether Mexican nationals or foreign nationals. However, if a foreign national who is a United Nations official or expert on mission and has committed a crime of a serious nature is inside Mexican territory, the Federal Criminal Code applies, pursuant to the provisions of article 2, paragraph I, thereof.

17. Under article 4 of the Federal Criminal Code, crimes committed abroad by a Mexican national against Mexican or foreign nationals or by a foreign national against Mexican nationals are punishable in Mexico subject to specific conditions, including the presence of the accused inside Mexico; no final verdict rendered in the country where the crime was committed; and double criminality.

18. Article 7 of the Federal Code of Criminal Procedure provides that the Mexican federal courts have jurisdiction over crimes committed abroad if the Federal Criminal Code is applicable pursuant to articles 2 and 4, and that the competent court is the one in whose territorial jurisdiction the accused is located. If the accused is located abroad, the competent court will be a court of equal standing in the Federal District, before which the Public Prosecutor will bring the criminal action, either for extradition or for the prosecution and disposition of the case. Likewise, the Federal Judicial Authority Organization Act (art. 50, paras. I and II) establishes the jurisdiction of federal judges over the crimes referred to in the Federal Criminal Code (arts. 2 and 4). Furthermore, those judges are competent to hear extradition proceedings.

19. **Portugal** noted that, as a general principle, its criminal legislation is applicable to all acts committed in Portuguese territory. Portuguese criminal legislation is also applicable to acts committed outside Portuguese territory in specific circumstances, including acts which are criminalized by international conventions to which Portugal is a party.

20. The commission of a crime would give rise to a judicial inquiry, comprising the procedures necessary to investigate the crime, its agents and their responsibility, as well as to find evidence in order to decide on the charges. Following the judicial inquiry, the public prosecutor could indict the suspected offender if there was sufficient evidence that a crime has been committed.

21. Portugal is a party to the Convention on the Privileges and Immunities of the United Nations. Article 322 of the Portuguese Criminal Code recognizes the special status of individuals granted international protection. Immunity is granted to officials and experts within limits strictly necessary for the independent exercise of their functions.

22. When a United Nations official or an expert on mission commits a crime falling under the jurisdictional competence of Portuguese criminal law, the competent judge may ask to the Secretary-General, through the Ministry of Foreign Affairs, to waive the immunity of that official or expert on mission.

23. **Qatar** stated that its Office of the Attorney General had not been informed by any means whatsoever that any national of Qatar working as an employee of the United Nations or an expert on mission had committed a crime, whether under its Penal Code (see A/63/260, para. 30) or the laws of the host country.

24. **Sweden** stated that its Criminal Code provides that prosecutions are not limited to persons who commit crimes and offences in Sweden. Crimes committed by Swedish nationals abroad are also covered when those crimes are punishable in the territory in which they have been committed. Swedish criminal law also establishes universal jurisdiction that applies in the case of serious specific crimes outside Sweden. Accordingly, the Swedish judicial authorities were fully competent to prosecute its nationals while serving as United Nations officials or experts on mission. Furthermore, a Government committee was currently considering ways in which to ensure such competence also with regard to less serious crimes.

25. The **United States of America** stated that it has a broad array of statutes that can be used to prosecute its nationals who commit crimes while working for the United Nations or when acting as experts on mission, even when those crimes may be committed outside the United States. For certain conduct, the United States has extraterritorial jurisdiction over United States citizens. For example, any United States citizen working for the United Nations who pays a child for an act of prostitution or has sex with a child too young to consent, or with a child of sufficient age difference under federal law, can be prosecuted in the United States for such offences. As a result of legislation enacted in December 2008, the United States now has jurisdiction to prosecute its nationals or legal permanent residents who engage in human trafficking offences abroad.

26. The United States also has jurisdiction generally to prosecute any federal crime when even a minor part of the crime was committed in the United States, even when the bulk of the crime was committed abroad. For example, a United Nations official or expert abroad who engages in fraudulent activities will be subject to prosecution in the United States even if all he or she does is make a phone call to the United States in furtherance of his or her activities or wire money to the United States, if it is part of the criminal scheme. Similarly, regarding trafficking in persons, a person who affects commerce between the United States and a foreign State by engaging in trafficking in persons as defined by United States law can be prosecuted in the United States. This type of jurisdiction is particularly broad where a conspiracy of two or more people is involved, because an act by one conspirator in the United States can bring the entire conspiracy within its jurisdiction.

27. Furthermore, under the Travel Act, any person who travels or uses a facility in foreign commerce (meaning between the United States and a foreign country) for

the purpose of distributing the proceeds of unlawful activity or committing a crime of violence in furtherance of unlawful activity, or otherwise carrying on an unlawful activity, can be prosecuted in the United States. For the purposes of this statute, unlawful activity includes offences related to gambling, narcotics, prostitution, extortion, bribery, arson or other racketeering activity.

28. The United States also has jurisdiction over certain corruption-related offences, even when most of the conduct takes place abroad. Bribery of a foreign official by a United States citizen to gain contracts is a crime prosecutable in the United States courts, even if the bribery occurs outside the United States.

29. **Yemen** stated that article 3 of the Penal Code adopted the principle of territoriality. Therefore, all Yemeni nationals serving as United Nations officials or experts are subject to all relevant legal provisions should they commit any act that constitutes a crime under the Penal Code. The immunity granted to such nationals is restricted to oral or written statements that they make in their official capacities and that are related to their work.

## III. Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions

30. **Austria** was in a position to afford assistance in connection with criminal investigations or criminal or extradition proceedings in respect of crimes of a serious nature committed by United Nations officials or experts on mission, including assistance in obtaining evidence, on the basis of applicable multilateral and bilateral extradition and mutual legal assistance treaties. In the absence of such treaties, the above-mentioned assistance can be granted on the basis of the Austrian Extradition and Mutual Legal Assistance Act, of 4 December 1979.

31. Information and material obtained from the United Nations for purposes of criminal proceedings initiated in Austria for the prosecution of crimes of a serious nature committed by United Nations officials or experts on mission can be used in accordance with the provisions of the Austrian Code of Criminal Procedure.

32. Section 162 of that Code provides for the possibility of anonymous testimony of a witness if there are grounds to believe that the person concerned would otherwise be exposed to a serious danger to his or her life, health, well-being or freedom. Furthermore, there is the possibility of hearing a witness by means of a videoconference.[1]

33. Austrian law does not differentiate between victims of crimes of a serious nature alleged to have been committed by United Nations officials or experts on mission and crimes committed by others. Consequently, the comprehensive victim protection provisions in section 65 et seq. of the Austrian Code of Criminal Procedure apply without qualification.

34. According to section 66, paragraph 2, of the Code of Criminal Procedure, victims of violent acts, dangerous threats or sexual offences, as well as the spouse,

[1] Section 153, para. 4, of the Code of Criminal Procedure, art. 10 of the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union.

life companion, relatives in a direct line, brother or sister of a person whose death could have been caused by a criminal offence, or other relatives who were witnesses of the criminal offence, are entitled to psychosocial or legal assistance in order to preserve the victim's rights in the criminal proceeding.

35. The question of whether witnesses may be included in the Austrian witness protection programme is addressed in section 22, paragraph 1 (5), of the Security Police Act. A central objective of the Austrian witness protection unit in the Federal Ministry of the Interior is to provide a protected witness — owing to the high degree of endangerment involved — with comprehensive protection. Such protection is granted without prejudice to whether the crime in question is alleged to have been committed by United Nations officials or experts on mission or others.

36. Austria could provide technical assistance to other States in response to a request in regard to paragraph 5 (d) of resolution 63/119.

37. **Belarus** stated that, in accordance with article 10 of its Constitution, a national of Belarus may not be extradited to a foreign State except as provided for by the international agreements to which Belarus is a party. A similar provision is contained in article 7 of the Criminal Code.

38. In cases where the extradition of a national of Belarus is denied, the competent judicial agency of Belarus, in accordance with its legislation and in light of the application and the materials submitted by the competent judicial agency of the foreign State, shall decide whether or not to institute criminal proceedings against the person whose extradition has been denied.

39. In addition, several international agreements concluded by Belarus, including the Convention on Judicial Assistance and Legal Relations in Civil, Family and Criminal Cases, provide for the detention of its own nationals prior to the receipt of instructions concerning the institution of criminal prosecutions against them.

40. In the absence of a contractual relationship, the execution of a request from a foreign State agency containing a provision on the criminal prosecution of a person shall be governed by section 15 of the Code of Criminal Procedure of Belarus (international legal assistance in criminal matters on the basis of the principle of reciprocity).

41. The **Czech Republic** noted that international cooperation was covered within Czech law by chapter XXV of the Criminal Procedure Code, as amended (Act No. 141/1961 Coll.). In order to establish international cooperation in criminal matters in cases where there is no treaty basis for such cooperation, the condition sine qua non, pursuant to section 376 of the Criminal Procedure Code, was respect for the principle of reciprocity. The requesting State needed to provide a guarantee that it would grant a similar request by the Czech Republic in future. On behalf of the Czech Republic, such a guarantee can be issued by the Ministry of Justice (in a criminal procedure) or by the Supreme Public Prosecutor's Office (in a pretrial procedure). Without the treaty basis, direct communication between the judicial organs is not possible.

42. The police and prosecutors may ask United Nations organs for information and materials; however, they cannot provide information on the progress of a criminal investigation. With regard to the admissibility of evidence — covered by section 447 of the Criminal Procedure Code — in the evaluation of the admissibility of

evidence carried out abroad, the European Convention for the Protection of Human Rights and Fundamental Freedoms needs to be taken in account, in particular its article 6, providing for the right to a fair trial. Evidence obtained through the actions of foreign organs does not have higher evidentiary value than it would have if it had been obtained through the actions of domestic organs.

43. The precondition for the use of such evidence is a decision of the Supreme Public Prosecutor's Office or a public prosecutor's office at a lower level (as stipulated in sect. 447, paras. 1 and 2 of the Criminal Procedure Code). At the same time, the Secretary-General would have to waive the immunity of a suspect and inform the Czech authorities, otherwise, the matter could be neither effectively investigated nor referred to a court for trial (as set out in sect. 10, sect. 11, para. 1 (c), and sect. 159 a, para. 2, of the Criminal Procedure Code). In case of doubt as to whether, or to what extent, a person is immune from the jurisdiction of the Czech authorities, the Supreme Court of the Czech Republic is competent to decide.

44. The protection of witnesses is guaranteed by section 55 of the Criminal Procedure Code of the Czech Republic and Act. No. 137/2001 Coll., on Special Protection of Witnesses and Other Persons in Relation to the Criminal Procedure and on the Amendment to the Act. No. 99/1963 Coll. on Civil Procedure Code, as amended.

45. Decisions on issues pertaining to paragraph 5 (d) of resolution 63/119 are taken by the competent ministries, in particular the Ministry of Justice (for justice and prisons), the Ministry of the Interior (for investigation and police cooperation), the Ministry of Foreign Affairs (for development aid) or by other branches of the Government (including for more complex projects). Capacity-building projects are considered upon the receipt of a request for assistance from abroad. However, such projects are limited by the budgetary constraints of the ministries.

46. The present position in **Guyana** is limited to extraditions as well as the taking of evidence, as requested by another State, through letters rogatory.

47. Extradition requests from Commonwealth, treaty and non-treaty territories would be addressed pursuant to the Fugitive Offenders Act (Cap. 10:04). Extraditable crimes include those contemplated by resolution 63/119. The Evidence (Proceedings in Foreign Tribunals) Act (Cap. 5:10) governs the taking of evidence for use in or by a foreign tribunal.

48. Guyana is also contemplating the submission of a bill on Mutual Assistance in Criminal Matters, which, once passed by the National Assembly and assented to by the President, would address issues related to obtaining evidence; locating or identifying things/objects; obtaining things/objects by search and seizure if necessary; arranging the attendance of persons; transferring prisoners; serving documents; tracing property; and obtaining orders, such as restraining orders.

49. **Jordan** continually works in coordination and cooperation with various States in order to combat crime. Such cooperation is facilitated by the fact that Jordan is a party to more than 17 bilateral and multilateral agreements that include provisions on mutual legal assistance. Jordan has also ratified the Rome Statute of the International Criminal Court. It cooperates with the United Nations and with units of the Jordanian Public Security Directorate participating in peacekeeping missions

in order to facilitate the investigation of members of those units by the Public Security Directorate.

50. Jordan also noted that there should be emphasis on cooperation between States and United Nations offices in respect of crimes committed in their territories by United Nations officials, as well as increased United Nations observation of the proceedings of the criminal trials of its officials, in order to ensure that they are justly and impartially tried, in coordination with the States in whose territories such crimes were committed.

51. **Kuwait** noted that implementation of the cooperation provisions is ensured by relevant laws and the provisions of bilateral judicial cooperation treaties signed between the Government of Kuwait and other States.

52. **Mexico** noted that the third paragraph of article 119 of its Political Constitution establishes that requests for extradition shall be processed by the federal executive through the judicial authority, and that they must be dealt with in accordance with the Constitution, relevant existing international treaties and regulatory acts. If there is no extradition treaty, the rules contained in the International Extradition Act shall apply. Mexico was currently a party to 26 extradition treaties.

53. Mexico had also concluded 30 treaties on legal assistance in criminal matters with various States. Those treaties were important instruments for international cooperation in this regard, whether for the exchange of information, the conduct of investigations or the prosecution or extradition of the alleged perpetrators of crimes of a serious nature.

54. **Portugal** noted that its regime was regulated by the Law on International Judicial Cooperation in Criminal Matters, which applied to extradition; transfer of proceedings in criminal matters; enforcement of criminal judgements; transfer of persons sentenced to any punishment or measure involving deprivation of liberty; supervision of conditionally sentenced or conditionally released persons; and mutual legal assistance in criminal matters.

55. **Sweden** stated that its judicial assistance and cooperation with other States were governed by numerous bilateral and multilateral agreements, while cooperation with the United Nations was covered by the relevant headquarters agreement. There were no obstacles to close cooperation of the nature suggested in paragraphs 4 and 5 of resolution 63/119 with the relevant authorities in the country where the crimes in question are committed.

## IV. Bringing credible allegations that reveal that a crime may have been committed by United Nations officials to the attention of States against whose nationals such allegations are made

56. In paragraph 16 of resolution 63/119, the Secretary-General was requested to include in the present report information on the number and types of credible allegations that reveal that a crime may have been committed by United Nations officials and experts on mission and any actions taken by the United Nations and its Member States regarding crimes of a serious nature committed by such United

Nations officials and experts on mission. It is understood that this refers to credible allegations referred to in paragraph 9 of the resolution.

57. In this regard, it is noted that the Secretary-General also prepares a number of other reports containing information which may be relevant to the present report. In particular, pursuant to paragraph 16 of resolution 59/287, the Secretary-General informs Member States on an annual basis of all actions taken in cases of proven misconduct and/or criminal behaviour and the disciplinary action and, where appropriate, legal action taken in accordance with the established procedures and regulations. The most recent such reports are the report of the Secretary-General on the practice of the Secretary-General in disciplinary matters and possible criminal behaviour for the period 1 July 2007 to 30 June 2008 (A/63/202) and the report of the Secretary-General on information-sharing practices between the United Nations and national law enforcement authorities, as well as referrals of possible criminal cases related to United Nations staff, United Nations officials and experts on mission (A/63/331). It should be noted, however, that criminal behaviour of staff members can be established only by the competent authorities of Member States, in accordance with the relevant criminal procedures in place. Similarly, pursuant to General Assembly resolution 57/306, the Secretary-General maintains data on investigations into sexual exploitation and related offences by humanitarian and peacekeeping personnel, and all relevant actions taken thereon, and reports accordingly to the General Assembly on an annual basis. The most recent such report is the report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/63/720).

58. The legal framework within which the referrals are made by the United Nations and the role of the Secretary-General was outlined in his 2008 report (A/63/260, sect. IV).

59. Pursuant to the request contained in paragraph 9 of resolution 63/119, the Office of Legal Affairs made a number of referrals whereby it brought credible allegations that reveal that a crime may have been committed by United Nations officials and experts on mission to the attention of the States against whose nationals such allegations had been made.

60. The following information covers the period from 1 July 2008 to 30 June 2009. It covers cases actually referred to States; for reasons of confidentiality, it does not include cases under investigation where the credibility of the allegations has not yet been established, or cases under review, which could possibly result in a referral in the future. The Organization will continue its policy of reviewing cases where there are credible allegations that reveal that a crime may have been committed by its officials or experts on mission, and should it decide that referral to law enforcement authorities of the State of nationality is warranted in any such cases, appropriate action will be taken in accordance with the General Convention and General Assembly resolutions 62/63 and 63/119.

**Referrals in relation to officials**

61. During the reporting period, credible allegations against three officials were referred by the United Nations to the State of nationality. Two cases related to allegations of embezzlement and forgery and another related to fraud and embezzlement. Two of the officials were locally recruited and therefore the State of nationality and the territorial State was the same. In relation to the third case

involving an international official, the matter was investigated and credible allegations brought to the attention of the Organization after the official was no longer working for the United Nations. A referral was made to the State of nationality.

**Referrals in relation to experts on mission**

62. During the reporting period, credible allegations against two experts on mission were referred by the United Nations to the relevant State of nationality. One case related to an allegation that the expert on mission had caused an accident which injured two pedestrians, one fatally, while driving intoxicated. Another case related to an allegation relating to counterfeit money and the making of verbal threats. The experts in question have already been repatriated to the relevant State of nationality.

**Requests for indication of status and assistance that may be provided by the Secretariat**

63. The Office of Legal Affairs requested from those States to which referrals were made during the last reporting period (A/63/260, paras. 69 and 70) an indication of the status of their efforts to investigate and, as appropriate, prosecute crimes of a serious nature, as well as the types of appropriate assistance States may wish to receive from the Secretariat for the purposes of such investigations and prosecutions. As at the date of the preparation of the present report, the United Nations had not received any information from the relevant States on action being taken. Furthermore, no requests for assistance have been received by the Secretariat from the States in question.

## V. Taking other practical measures to strengthen existing training on United Nations standards of conduct, including through predeployment and in-mission induction training

64. The Department of Peacekeeping Operations and the Department of Field Support continued in 2008 and 2009 to pursue their efforts to ensure adherence to the code of conduct and related rules, Secretary-General's bulletins and administrative instructions through mechanisms aimed at preventing misconduct. Training and awareness-raising regarding United Nations standards of conduct remain at the centre of the preventive measures adopted by the various peacekeeping operations and special political missions.

65. The Conduct and Discipline Unit at Headquarters and conduct and discipline teams in the field act both independently and collaboratively to deliver or facilitate training on misconduct for all categories of personnel. There are currently 14 conduct and discipline teams, covering 19 peacekeeping missions and special political missions.

**Training at Headquarters and predeployment training**

66. The Conduct and Discipline Unit, in coordination with the Integrated Training Service, developed new core predeployment integrated training material, which was launched in May 2009, that will be used for all mandatory predeployment training

for all peacekeeping personnel. The new material has been piloted in Guatemala, Nepal and Brindisi, Italy.

67. Troop-contributing countries are responsible for providing mandatory predeployment training to military personnel. Police-contributing countries are equally responsible for such predeployment training for United Nations police and formed police units. Such training is usually delivered by peacekeeping training institutions operating on a national or regional/subregional basis. The Integrated Training Service at the United Nations Logistics Base at Brindisi, Italy, is responsible for ensuring the mandatory predeployment training of all international civilian staff.

68. The Conduct and Discipline Unit trained potential and already recruited senior leaders in two senior mission leadership courses and two senior leadership induction programmes, respectively. Those training courses are designed to emphasize the role and duties of heads of mission and other senior leaders to ensure the highest standards of conduct and to better prepare them to address conduct- and discipline-related issues. In addition, the Unit provided frequent briefings on conduct- and discipline-related matters to specialized groups of personnel. The annual workshop for the chiefs of conduct and discipline teams was held in January 2009. The workshop updates chiefs on recent policy and legislative developments that may have an impact on field procedures. In addition, it provides a forum to identify the strategies which will enable conduct and discipline teams to fulfil their mandate in missions more effectively.

69. Follow-up training was held for peacekeeping mission focal points on the misconduct tracking system, a secure, web-based system designed to record, track and report on allegations of misconduct by peacekeeping personnel.

70. Substantive input was also provided through the participation of the Department of Field Support, at the principals' and working levels, in the United Nations and non-governmental organization task force on protection from sexual exploitation and abuse of the Executive Committee on Humanitarian Affairs and the Executive Committee on Peace and Security. This included technical input in the development of two sets of training material on protection from sexual exploitation and abuse, one for managers and the other for focal points. These programmes have been piloted with focal points in South Africa, Indonesia and Nepal and with senior managers in Somalia, the Libyan Arab Jamahiriya, Nepal and Indonesia.

**Training in peacekeeping missions**

71. All categories of personnel receive conduct and discipline training/briefings once they have been deployed to peacekeeping missions. Training is provided by conduct and discipline teams and integrated mission training cells or training cells for specific categories of personnel.

72. Training on sexual exploitation and abuse and the code of conduct has been emphasized for all categories of personnel as part of the preventive strategy of the Department of Field Support. Conduct and discipline teams provide direct induction, refresher and ongoing training, training of trainers and technical assistance in missions. The vast majority of peacekeeping personnel in missions have attended such training.

73. Mission-specific materials have also been developed by conduct and discipline teams to reflect the needs of the mission and host population. Conduct and discipline teams also work with the police and military components to reproduce training materials in the languages of formed police units, military contingents and, when applicable, the host population.

74. Conduct and discipline teams have provided training on specific types of misconduct, including the prevention of harassment, sexual harassment and abuse of authority, consistent with ST/SGB/2008/5, entitled "Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority", road safety and driving under the influence of alcohol. They have also developed awareness-raising campaigns to inform the host population on United Nations codes of conduct. Outreach activities and assessment visits within their respective mission areas have allowed conduct and discipline teams to identify emerging conduct and discipline training needs.